

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE REFCO INC. SECURITIES LITIGATION

CASE NO. 07-MD-1902 (JSR)

This document relates to:

KENNETH M. KRYIS, *ET AL.*,

Plaintiffs,

-against-

CHRISTOPHER SUGRUE, *ET AL.*,

Defendants.

CASE NO. 08-CV-3065 (JSR)

CASE NO. 08-CV-3086 (JSR)

KENNETH M. KRYIS, *ET AL.*,

Plaintiffs,

-against-

DEUTSCHE BANK SECURITIES INC., *ET AL.*,

Defendants.

CASE NO. 10-cv-3594 (JSR)

**NOTICE OF MOTION TO DISMISS OR FOR OTHER SANCTIONS FOR
SPOILIATION OF EVIDENCE**

PLEASE TAKE NOTICE that, upon the Memorandum in Support of the Undersigned Defendants' Motion To Dismiss or for Other Sanctions for Spoliation of Evidence and the exhibits thereto, and at a time and location to be determined, defendants Mayer Brown LLP, Edward S. Best, Joseph P. Collins, Paul Koury, Grant Thornton LLP, Mark Ramler, PricewaterhouseCoopers LLP, and Deutsche Bank Securities Inc. (the "Undersigned Defendants") will move this Court for an order granting their Motion To Dismiss or for Other Sanctions for Spoliation of Evidence, and granting such relief as the Court deems just and proper.

Respectfully submitted,

Dated: Washington, D.C.
August 21, 2012

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of August 2012, a copy of the foregoing Notice of Motion To Dismiss or for Other Sanctions for Spoliation of Evidence was filed with the Court through the CM/ECF system. The foregoing was served on counsel of record via the Court's CM/ECF system.

/s/ John Williams
John Williams